State of Washington Decision Package

PLACEHOLDER

Agency: 310 Department of Corrections
Decision Package Code/Title: 93 – Mandatory Caseload Adjustments

Budget Period: 2005-07

Budget Level: M1 – Mandatory Caseload and Enrollment Changes

Recommendation Summary Text:

The Department requests funds to maintain current levels of services for projected forecast changes. The Department will revise this decision package following the release and approval of the November 2004 official offender population forecast and community supervision forecast by the Caseload Forecast Council.

Agency Total Fiscal Detail FY 2006 **Total** FY 2007 **Operating Expenditures** 001-1 - General Fund - Basic Account-State \$19,167,000 \$56,597,000 \$75,764,000 Annual Staffing FY 2006 FY 2007 Average **FTEs** 94.4 579.2 336.9 Program 100-Admin & Program Support **Fiscal Detail FY 2006** FY 2007 **Total Operating Expenditures** 001-1 - General Fund - Basic Account-State \$1,018,000 \$3,018,000 \$4,036,000 Annual **Staffing FY 2006 FY 2007** Average **FTEs** 14.0 29.7 45.3 **Program 200-Institutional Services Fiscal Detail** FY 2006 FY 2007 Total **Operating Expenditures** 001-1 - General Fund - Basic Account-State \$77,806,000 \$21,082,000 \$56,724,000 Annual Staffing FY 2006 FY 2007 Average **FTEs** 123.8 578.7 351.3

Program 300-Community Corrections

Fiscal Detail	FY 2006	FY 2007	Total
Operating Expenditures 001-1 - General Fund - Basic Account-State	\$(2,933,000)	\$(3,145,000)	\$(6,078,000)
Staffing	<u>FY 2006</u>	FY 2007	Annual Average
FTEs	(43.4)	(44.8)	(44.1)

Package Description

Mandatory Workload Adjustment – Program 200 – Institutional Services

The Department operates 15 institutions and 15 work release facilities, and provides them with the appropriate levels of staffing, security features, and equipment necessary to detain and safely manage offenders housed in total and partial confinement. These institutions and work releases employ approximately 5,700 employees. Each institution is obligated to provide a range of basic services, including food service, health care, education, vocational, and work programs. The Caseload Forecast Council projects that the average active offender population will be 17,904 in Fiscal Year 2006 and 18,183 in Fiscal Year 2007 based on the June 2004 Prisons Forecast. The Department is currently funded for an average annual active offender population of 17,482. This represents a four percent increase from the current funded level to Fiscal Year 2007 population projections and the Department's overcrowding will exceed 3,000 by the end of Fiscal Year 2007.

The Department has identified several changes to operational capacity to address the increased population:

- The Department will occupy the Mission Creek Corrections Center (MCCC) during Fiscal Year 2005 as a female facility. The capacity will be 80 beds. The Department plans to increase the capacity to 200 in Fiscal Year 2008.
- The Department will complete the conversion of the Pine Lodge Corrections Center for Women (PLCCW) to all female beds in Fiscal Year 2005.
- A new Intensive Management Unit (IMU)/Segregation Unit will be completed in Fiscal Year 2007 at the Monroe Correctional Complex (MCC). This will add 100 IMU beds to capacity in July 2006.
- The conversion of the Baker, Adams, and Rainier Units at the Washington State Penitentiary (WSP) from medium custody to close custody will be completed in Fiscal Year 2007. This will complete the conversion of 324 medium beds to close beds in January 2007.
- The new North Close Compound and IMU at WSP will be completed in Fiscal Year 2007. This will add 792 close beds and 100 IMU beds to capacity in January 2007. The Department is also planning to remove the Blue Mountain Unit at WSP in anticipation of receiving capital construction funds for the South Close Compound at WSP in Fiscal Year 2007. This will remove 432 medium custody beds in January 2007.
- Current emergency measures at Airway Heights Corrections Center (AHCC) and MCC will be converted to operational capacity in Fiscal Year 2007. This will add 280 minimum beds to operational capacity in June 2007.

Combined with the current capacity and the capacity changes noted above, the magnitude of overcrowding, approximately 2,300 by the end of Fiscal Year 2007, is too great to operate safe, secure, and efficient facilities. To deal with the population over capacity, or emergency population, the Department will continue with the current rental bed agreements with Nevada, King County, and Benton County and request additional funding to rent beds from other states and jurisdictions. The Department will phase out the remaining emergency measures at MCC, 40 beds at the Twin Rivers E Unit and the 72 beds in 3A. The Department has not identified any new emergency capacity with the current system.

In addition to the three jurisdictions listed above, the Department's current rental bed capacity plan is as follows:

- The Department has placed 200 offenders with Corrections Corporation of America (CCA) at the Crowley Correctional Facility in Colorado and will place another 150 offenders with CCA at a facility in Minnesota by September 2004.
- The Department will place approximately 48 offenders in Yakima County by September 2004. The Department is also pursuing 200 beds with Yakima County to begin late in Fiscal Year 2005.
- The Department has placed approximately 25 offenders in Clark County in July 2004.
- The Department is pursuing 100 beds with Lewis County anticipated to be placed in Fiscal Year 2005
- The Department is pursuing 340 beds with Snohomish County anticipated to be placed in Fiscal Year 2006.

In addition to securing rental beds the Department will be reimbursing Clark County, Stevens County, and Chelan County for existing jail beds. Currently, Clark County is included in the June 2004 Forecast.

The Department continues to experience an increasing rate of extradition to the Department. The Department has been funded for two additional extradition lieutenants in each of the last two biennium's bringing the total to six. The Department estimates that these transports will continue to increase by 15 percent, which is based on Calendar Year 2003 through July and Calendar Year 2004 for the same period.

The Department does not currently have resources to deal with the female sex offenders at the Washington Corrections Center for Women (WCCW). Currently, the Sex Offender Treatment Program (SOTP) is located at MCC. The Department is requesting funding for one sex offender treatment specialist which will report through the SOTP at MCC in coordination with WCCW executive staff.

The Department's General Fund-State (GF-S) chemical dependency funding was reduced in the 2003 Legislative Session in association with SHB 5990. The Department's current chemical dependency contract is for treatment of Drug Offender Sentencing Alternative offenders, RM-A offenders, and RM-B offenders, all of which were ineligible for SHB 5990.

The Department is requesting intrastate transport funding for two additional correctional officers and one additional transport bus to accommodate the increased capacity at WSP with the opening of the North Compound.

The Department is requesting one 24/7 post to address the increasing hours for hospital watch being experienced at McNeil Island Corrections Center (MICC). The Department is currently experiencing increased overtime because of the large number of offenders required to be placed under this security measure.

The Department is requesting two positions for statewide oversight of security and roster management. Both positions will have a direct impact on improving the Department's overtime issues.

Mandatory Workload Adjustment – Program 300 – Community Corrections

The Caseload Forecast Council (CFC) approved a new forecast in June 2004. This forecast anticipates a reduction in the number of offenders supervised in the community for Fiscal Years 2006 and 2007 compared to the caseload assumed in the Department's 2005-2007 Biennium carry-forward level. This budget request includes a reduction in funding to reflect the workload decrease associated with the forecasted caseload change.

The caseload assumed in carry-forward level was equivalent to the February 2004 Forecast for Fiscal Year 2005, an average of 35,272 offenders. The caseload level projected in the June 2004 CFC forecast is 30,478 in Fiscal Year 2006 and 30,446 in Fiscal Year 2007. This represents a biennial average reduction of (4,810) offenders in the community for the 2005-2007 Biennium.

The majority of the change in forecasted offenders reflects the impact of capturing more complete sentencing and supervision history following the implementation of new legislation passed in the 2003 Legislative Session (ESSB 5990). CFC indicates that the Department has terminated supervision for a greater number of offenders than originally anticipated for ESSB 5990 in the February 2004 Forecast. The February 2004 Forecast included estimates for caseload reduction, whereas the June 2004 Forecast reflects actual caseload reduction experience. The June 2004 Forecast also incorporates corrections to computer programming errors discovered in the Department's automated information system.

The Department uses a staffing model that reflects the results of the 2002 Community Corrections Workload Study. This model was the basis for establishing the Department's 2004 Supplemental Budget, and was used to develop this staffing reduction estimate.

The current staffing model has undergone modifications since 2002, in order to estimate the impacts of policy and caseload changes implemented since the original workload study. These changes have been made in consultation with OFM and legislative fiscal staff. The Department is currently undertaking an update to the 2002 Community Corrections Workload Study. This study will measure actual time spent by current field staff, in order to assess the accuracy of factors previously updated in the staffing model. With this new information, the Department will update the staffing model to reflect the most recent and reliable information on workload requirements.

Mandatory Workload Adjustment - Program 100 - Administration and Program Support

Workload

The Administration and Program Support model is driven by additional positions that are required to manage the projected changes in the offender institutional and supervision populations. Staffing needs are required in the following areas: Information Technology, Business Services, Human Resources, and Risk and Tort Liability.

Information Technology

Information Technology staff provide technical support to the correctional operations staff for a wide range of services including mainframe applications, electronic mail, web applications, desktop productivity applications, offender kiosks, file and print services, and local and wide area networks connectivity internal and external to the Department. These services are provided to over 140 different facilities, field offices, and outstations throughout the state.

Business Services

Business Services staff are responsible for fiscal services, business services, offender banking, and warehouse support throughout the five regions. Duties include payroll, purchasing, processing vendor payments, accounts receivable, accounts payable, offender funds including debt collection and obligations, and managing all warehouse and stores operations.

Human Resources

Human Resource staff provides the personnel support required throughout the Department. These duties include the recruiting, screening, and selection of employees; enhancing diversity in the organization; ensuring compliance with Merit System Rules and state and federal regulations; providing support to the

Department's staff on personnel issues; managing personnel records; providing consulting and support for the grievance process; implementation of the *Washington Works* project (HR 2005); and the investigation and disposition of employees misconduct incidents.

Additional Workload Drivers

• Management of Out-of-State, and Other Jurisdictions, Offender Trust Accounts:

The Department requests two positions for managing rental-bed offenders' trust accounts. RCW 72.09.480 mandates deductions from offenders' funds as long as the offender is under the jurisdiction of the Department. Housing offenders outside the Department's jurisdiction does not release an offender from the authority of the Department. Therefore, all deductions mandated by the RCW will apply to funds the offender receives, regardless of the offender's housing location.

A process was developed that would not place Washington State's RCW requirements on other states and jurisdictions, and ensure the process was efficient and effective. The focus was to expedite offenders' funds within any 24-hour period, to ensure offenders spendable funds were transmitted every 24-hour period to the other states and jurisdictions to comply with RCW 72.09.480. As per RCW 72.09.111, savings are to be maintained until the offender is released from the jurisdiction of the Washington State Department of Corrections. Savings can not be transmitted to offenders located in other jurisdictions since other states or jurisdictions rarely have savings mandated for offenders.

• Internal Employment Investigations:

Increased demands and workforce growth has driven the need for one additional position. This position will conduct internal employment investigations on internal discrimination complaints; facilitate processes for external complaints to organizations such as Equal Employment Opportunity Commission and Human Rights Commission; and ensure compliance with federal and state workforce discrimination laws. The position would be located in the Southeast Region of the state and also would provide training to management and staff regarding these issues.

Historically, this function has been performed by one position that covered both the Northeast and Southeast Regions of the state, equating to over 40,000 square miles representing over 44 facilities (institutions, field offices, work releases, etc.) and approximately 2,300 staff. The current position has experienced a high level of turnover because of the inability of this position to cover both regions. This turnover has resulted in a lack of consistency, timeliness in responding to complaints and completing investigations, developing relationships with external regulators, and the ability to take proactive measures addressing work place issues.

• Internal Audit:

Currently, the Department has one internal auditor. The Department requests one additional position to mitigate the risks created by growth and change in the Department's business functions. In recent years, the Department has experienced significant changes in business procedures as more accounting processes have been revised and/or automated. Some systems, such as Trust Accounting, have become very complex as legal requirements mandating specific deductions and authorizing specific exemptions have increased. Significant procedural changes will continue to occur over the next few years as statewide upgrades are made to accounting, payroll, and personnel systems. Business and support activities continue to increase as the Department grows in terms of number of offenders and number of staff. These factors increase the Department's risk in preventing and/or detecting errors.

• *Risk Management:*

The Department requests two positions to manage the workload resulting from the Governor's Executive Order on Risk and Tort Liability and the recommendations made by Philip A. Talmadge in

"Department of Corrections Tort Liability and Risk Management: A Report to the Secretary." The risk mitigation specialist position will be the Department's manager for requests related to risk or potential litigation. Key responsibilities will be to analyze areas of greatest risk to the Department, develop training, research and review litigation, and assist with Attorney General's Office in the discovery process. The support staff position will provide the centralized coordination for the discovery process. Centralizing the discovery process will reduce future risk to the Department. Additionally, this position will be the Department's contact point for requests for defense, and manage all critical timelines and due dates for information and legal documents related to risk and tort liability. These positions are key to the Department in helping reduce and control costs through risk mitigation and aggressive case management.

• *Planning and Research:*

The Department requests one Information Technology Applications Specialist III position in the Planning and Research unit. This position will provide support and programming changes to the Offender Based Tracking System (OBTS) and perform data linkage and extraction from the Offender Management Network Information (OMNI) necessary to create offender data files used for research and data requests. Upon OMNI Phase II completion, some data elements will be in OMNI's database; however, some key data elements will still reside in OBTS. Because the Department is managing two data systems for offender records, considerable time will be required to link the data between these two systems and create usable research flat files. This technical position will create the programs necessary to link the database elements, routinely extract the data, verify the data, and perform data analysis. Without funding, the Department will not be able to share timely mission critical research data with the Caseload Forecast Council and into the Justice Information Network or respond to data requests within appropriate timelines from the Legislature, Office of Financial Management, and other criminal justice agencies.

Programming Changes:

Programming changes to the Department's OMNI database are required to allow Special Sex Offender Sentencing Alternate (SSOSA) offenders to be identified as offenders confined by the Department when aggravating circumstances exist. This change is a result of SHB 2400 passed during the 2004 Legislative Session.

Narrative Justification and Impact Statement

How contributes to strategic plan:

This request is critical to agency activities, the strategic plan, and statewide results. The request ensures that the Department has the necessary resources to maintain current levels of service and performance.

This request is required to sustain the agency activities *Confine Convicted Adults in State Prisons, Health Care Services for Adults in State Prisons, Education of Convicted Adults in State Prisons, Supervise High-Risk Adult Offenders in the Community, Supervise Moderate-Risk Adult Offenders in the Community, and Corrections- Core Administration*. The resources identified will be directed to support the agency strategies such as ensuring that facilities and offices are safe and secure, deploying resources efficiently, and effectively with regard to meeting constitutional mandates, meeting offender violations swiftly and with certainty, and improved intervention strategies targeted at identified risk factors. These strategies move the Department closer to meeting its high-level organizational goals of reducing offender risk to re-offend and reducing victimization and enhancing organizational capacity and competency. These high-level goals are intermediate outcomes and help achieve statewide results that improve the safety of people and property.

Performance Measure Detail

No measures were submitted for this package.

Reason for change:

This request does not add new services, functions, or activities. The funds requested are necessary to manage the projected change in offender populations, using current practices, policies, and procedures.

Impact on clients and services:

Requested funding will allow the Department to maintain the current level of services expected by Department policy, practices, and procedures.

Impact on other state programs:

N/A

Relationship to capital budget:

The Department will require additional facilities in order to safely house the projected number of incarcerated offenders, and is therefore requesting capital funding to convert AHCC and MCC emergency measures to operational capacity. All other capital requests will not have an operational impact until the 2007-2009 Biennium.

The Department also anticipates the 2004 Capital Master Plan to be completed prior to the November 2004 Forecast is finalized. At that time, based on that plan, the Department may change the operational assumptions.

Required changes to existing RCW, WAC, contract, or plan:

N/A

Alternatives explored by agency:

N/A

Budget impacts in future biennia:

Funding will be required in future biennia assuming a similar level of offenders.

Distinction between one-time and ongoing costs:

This request includes one-time costs of furnishings and equipment for new positions. Amounts are:

- Program 100: \$100,000 in Fiscal Year 2006 and \$252,000 in Fiscal Year 2007;
- Program 200: \$949,000 in Fiscal Year 2006 and \$3,231,000 in Fiscal Year 2007; and
- Program 300: \$35,000 in Fiscal Year 2006.

Effects of non-funding:

Should the Department not receive sufficient funding to manage the incarcerated offender population, offenders will be housed in dangerously over-crowded and under-staffed facilities. The offenders will have inadequate opportunities for productive use of their time, such as employment, education opportunities, or vocational training. They may not receive necessary chemical dependency and mental health treatment, dental care, and other aspects of health care mandated by law. Such conditions could contribute to increased offender aggression and violence, as well as impact recidivism.

Expenditure Calculations and Assumptions:

Program 200 – Institutional Services:

This proposal assumes occupancy of MCCC. The Department requests staffing and operational funds only; no start-up funds are needed.

This proposal assumes conversion of the emergency measures at AHCC and the emergency measures at the minimum unit at MCC. The Department requests funding associated with increasing the AHCC funding by ten beds; no staff or start-up funds are needed.

Capital facility expansion will be completed for the MCC IMU/Segregation Unit in Fiscal Year 2007 (July 2006) and the WSP North Compound and IMU in Fiscal Year 2007 (January 2007). Start-up funding, in addition to operational funding, is required to properly equip and establish the new living and programming space at the new IMU/Segregation Unit.

Capital facility conversion will also be started at WSP, which will reduce capacity. The conversion will have an impact on staffing and operational funding, as the Department will demolish the Blue Mountain Unit in anticipation of receiving capital funding to construct the South Compound.

Rental bed rates vary by location:

- The CCA contract will cover all offenders placed in CCA facilities. For population up to 200, the daily rate is \$56.85, for population over 200 but less than 400, the daily rate is \$54.85, and for population over 400, the daily rate is \$52.85.
- The daily rate at Clark County is \$49.37 for all beds.
- The daily rate at Yakima County is \$62.50.
- The daily rate at Chelan County is \$56.00.
- The daily rates at Stevens, Snohomish, and Lewis Counties are estimated to be \$67.00.

The rental bed assumptions also assume transport staffing, classification staff on-site for out-of-state locations, and administration to oversee the in state (violator) and out-of-state rental bed program.

The proposal, in whole, assumes an additional 323.1 FTEs will be required to staff and operate the additional beds and manage the additional offenders projected to enter the Department's jurisdiction in the next biennium and administer the Rent-a-Bed Program. Staffing needs are based on models for custody and non-custody staff. These models take into account the unique characteristics of the physical plant, offender classification, and offender needs in each new, reduced, or expanded facility.

Non-capacity changes will require the addition of 28.1 FTEs for extradition lieutenants, staff to convert PLCCW to all female, intrastate transport, hospital watch, statewide headquarters staffing, and a sex offender treatment specialist position at WCCW. Start-up funding for these positions will be requested in the Fiscal Year 2005 Supplemental Operating Budget.

Program 300 – Community Supervision:

Caseload impacts are based on the Caseload Forecast Council's June 2004 Forecast. The risk distribution of forecast offenders is based on the actual caseload distribution from July 2004 month-end data.

Workload assumptions for supporting forecast offenders are based on the community corrections staffing model utilized by the Department during the 2003 Legislative Session. The current staffing model uses estimates of the impact of workload reduction policies implemented by the Department following the enactment of the 2003-2005 Biennium Operating Budget. Pending results from the 2004 Community

Corrections Workload Study Update to confirm these estimates, the Department is continuing to use the current workload model. The caseload reduction results in a biennial cost decrease of \$(9.689.000).

One of the workload reduction policies estimated in the current workload model is a reduction to the level of supervision provided for high-risk offenders upon successfully completing 70 percent of their supervision sentence without violations. In response to stakeholder input, this policy change included maintaining resources to respond to violations if these offenders subsequently violate after their supervision requirements are reduced. The 2004 Supplemental Budget removed resources for responding to violations from these high-risk offenders. This assumption will be confirmed by the 2004 Community Corrections Workload Study Update. Pending the analysis, this request includes a step adjustment of \$2,846,000, allowing the Department to maintain the ability to respond to violations for high-risk offenders. The estimate will be revised in November 2004, based on the 2004 Community Corrections Workload Study Update results observed for this group of offenders.

The Department also requests five additional positions within the Warrants Unit. The number of Secretary's warrants has climbed steadily with the implementation of the Offender Accountability Act (OAA). OAA requires the Department to use risk management principles to hold offenders accountable for their behavior when supervised in the community. Integral to this responsibility is the authority to arrest offenders who have violated the conditions of their supervision. Issuing Secretary's arrest warrants in a timely manner is critical to ensure the safety of the public and to improve the chances of changing offender behavior patterns by imposing quick interventions. The number of warrants issued has grown from about 4,500 in Fiscal Year 2001, the first year of full OAA implementation, to an estimated 15,000 based on Fiscal Year 2004 actuals. The number of warrants issued is related to the risk level of the offender, and the number of offenders sentenced to the Department's jurisdiction under OAA. At the end of Fiscal Year 2003, OAA offenders comprised less than 20 percent of the total community corrections caseload. As of May 2004, OAA offenders represented 63 percent of the total community corrections caseload. The Department expects that by Fiscal Year 2006, nearly all offenders in the community will be supervised under an OAA sentence.

The Department expects to have an average of 14,524 high-risk offenders, 14,227 low-risk offenders, and 1,710 unclassified offenders. Multiplying these population estimates by the warrant issuance percentages expected with a full OAA population yields an estimate of 1,953 warrants per month, or 55 percent more than the 1,262 issued on average each month during Fiscal Year 2004. Five additional positions will be required to manage this increased workload, estimated cost of \$497,000 for the 2005-2007 Biennium.

In addition, the Community Protection Unit currently has five positions dedicated to providing safety planning services for victims through a Victim Wrap Around. These services are provided when offenders transition back to the community and are classified RM-A Imminent Threat because of the potential of risk to the victim or potential victim. The Department has seen a steady increase in offenders in this area, and request two additional positions to manage this workload. This \$267,000 additional funding for safety planning services is essential in mitigating the risk that the offender may pose upon release.

Adding these three adjustments to the impact of caseload reduction under the June 2004 Forecast results in a net funding decrease of \$(6,445,000) for the 2005-2007 Biennium.

Caseload assumptions by risk level compared to assumptions used in the 2005-2007 Biennium carry-forward levels are shown below on Table 1.

Table 1

						Workload	
	RMA	RMB	RMC	RMD/OMA	Unclass	Overrides	Total
FY06 Avg Offenders							
Funded Level (2/04 CFC Forecast)	7,011	6,258	2,672	5,676	2,926	10,729	35,272
Change for June 04 Forecast	130	(103)	6	109	(1,215)	(3,721)	(4,794)
Revised FY 2006	7,141	6,155	2,678	5,785	1,711	7,008	30,478
FY07 Avg Offenders							
Funded Level (2/04 CFC Forecast)	7,011	6,258	2,672	5,676	2,926	10,729	35,272
Change for June 04 Forecast	123	(110)	3	103	(1,216)	(3,729)	(4.826)
Revised FY 2007	7.134	6.148	2.675	5.779	1.710	7.000	30.446

Program 100 – Administration and Program Support:

Staffing expenditures have been calculated using an average salary and benefit for each job class. Goods and services expenditures include computer leasing, workstations, and infrastructure connectivity. Additional funding to purchase cars will provide Information Technology staff and Human Resource staff transportation to the over 140 statewide sites. Travel expenditures have been calculated using an average for each job class.

Additionally, approximately 200 hours of programming is required to change the Department's OMNI database due to the passage of SHB 2400. The average cost of such programming is \$130 per hour multiplied by 200 hours for a total cost of \$26,000.

Object Detail	FY 2006	FY 2007	Total
A Salaries and Wages	\$3,916,000	\$23,360,000	\$27,276,000
B Employee Benefits	\$1,233,000	\$7,036,000	\$8,269,000
C Personal Service Contracts	\$26,000	\$0	\$26,000
E Goods and Services	\$298,000	\$5,246,000	\$5,544,000
G Travel	\$1,450,000	\$1,675,000	\$3,125,000
J Capital Outlays	\$502,000	\$521,000	\$1,023,000
N Grants, Benefits, and Client Services	\$11,742,000	\$17,907,000	\$29,649,000
P Debt Services		\$852,000	\$852,000
Total Objects	\$19,167,000	\$56,597,000	\$75,764,000